

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

IN RE BEXTRA AND CELEBREX
MARKETING, SALES PRACTICES AND
PRODUCT LIABILITY LITIGATION,

No. MDL 05-01699 CRB

**ORDER RE: MOTION TO
WITHDRAW AS COUNSEL**

This document relates to:

Kurt Lebert, 06-0229 CRB

Now pending for decision is the motion of the Bowersox Law Firm, P.C., and the Law Offices of Daniel E. Becnel, Jr. to withdraw as counsel for plaintiff in the above matter.

After carefully considering the motion, and the supporting affidavit filed under seal, the Court ORDERS PLAINTIFF TO SHOW CAUSE as to why (1) the motion of the Bowersox Law Firm P.C. and the Law Offices of Daniel E. Becnel, Jr. to withdraw as counsel of record should not be granted; and (2) plaintiff's lawsuit should not be dismissed for a lack of prosecution. See Fed. R. Civ. P. 41. If plaintiff wishes to contest the withdrawal of counsel and/or dismissal of that plaintiff's lawsuit for failure to prosecute, plaintiff shall notify the Court **in writing** on or before **October 5, 2007** of the reasons the withdrawal should not be granted or the case dismissed. In particular, if plaintiff wishes to

1 proceed with this action, plaintiff shall advise the Court of the name and address of plaintiff's
2 new counsel or, if plaintiff will be proceeding without a lawyer, plaintiff must advise the
3 Court of how the Court should contact the plaintiff. In addition, plaintiff shall advise the
4 Court as to whether the plaintiff has completed and served defendants with a plaintiff fact
5 sheet and provided defendants with authorizations for the release of medical records.
6 Plaintiff is warned that plaintiff's failure to communicate with the Court in writing as set
7 forth above may result in dismissal of plaintiff's claims with prejudice.

8 Plaintiffs' counsel shall ensure that plaintiff receives a timely copy of this Order.

9 **IT IS SO ORDERED.**

10 Dated: September 11, 2007



11 CHARLES R. BREYER
12 UNITED STATES DISTRICT JUDGE
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